

TOWN OF BASSENDEAN

MINUTES

ORDINARY COUNCIL MEETING

HELD IN THE COUNCIL CHAMBER, 48 OLD PERTH ROAD, BASSENDEAN

ON TUESDAY 27 OCTOBER 2015 AT 7.00PM

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Mayor declared the meeting open, welcomed all those in attendance and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

2.0 PUBLIC QUESTION TIME & ADDRESS BY MEMBERS OF THE PUBLIC

2.1 Public Question Time

Mrs Fran Phelan, 15 River Street, Bassendean

Mrs Phelan asked whether mosquito spraying will be carried out north of the railway line.

The Manager Development Services advised that this question would be taken on notice and a response will be provided.

Mrs Phelan asked whether the meeting fees for Councillors are confidential and who sets them.

The Mayor responded that they are not confidential and they are set by Council through the annual budget.

Mrs Val Dreyer, 31 Naunton Crescent, Eden Hill

Mrs Dreyer commented that the sandbags on the corner of Old Perth Road and Guildford Road have been there for some time and need to be removed.

Mrs Dreyer commented on the number of blocks with dry grass that require clearing and asked when the deadline is.

The CEO responded that block clearing is required to be completed by the end of October.

Mr Dreyer commented on the structure of Council and stated that there should be a ward structure with more Councillors which would get better results for ratepayers.

Mr Don Yates, 10 Thompson Road, Success Hill

Mr Yates asked what the rateable income of the two bedroom apartments is on Old Perth Road.

The Director Corporate Services advised that they would attract the minimum rate of approximately \$900.

Mr Yates asked whether the community consultative strategic planning workshops will be held next year.

The CEO advised that the Town is hoping to start the process earlier than that.

Mr Yates commented on the activity centres and asked when will the Council engage with the community on this.

The CEO responded that the Town is working with the Department of Planning on the activity centres and is on track to meet the State Government target of 2050.

Ms Catherine Hamilton

Ms Hamilton referred to the Business Activity Centre Stakeholders Reference Group and asked whether those confidential minutes would be made available to the new Councillors.

The CEO responded that the new Councillors are entitled to any documents they need to fulfil their role as a Councillor.

Ms Hamilton asked whether residents are considered to be stakeholders.

The CEO responded that the Town is in the process of commencing the public consultation process and Landcorp will be organising a webpage for the public.

3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Present

Councillors

His Worship the Mayor, Cr John Gangell
Cr Mike Lewis, Deputy Mayor
Cr Gerry Pule
Cr Paul Bridges
Cr Bob Brown
Cr Renee McLennan

Officers

Mr Bob Jarvis, Chief Executive Officer
Mr Mike Costarella, Director Corporate Services
Mr Graeme Haggart, Director Community Development
Mr Simon Stewert-Dawkins, Director Operational Services
Mr Brian Reed, Manager Development Services
Mrs Amy Holmes, Minute Secretary

Public

Approximately 27 members of the public were in attendance.

Press

One member of the press was in attendance.

4.0 DEPUTATIONS

- 4.1 Mr Adam Carvel: Item 10.6 - Lease Agreement, Bassendean Men's Shed Association.

5.0 CONFIRMATION OF MINUTES

5.1 Ordinary Council Meeting held on 22 September 2015

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 5.1(a)

- OCM – 1/10/15** MOVED Cr Pule, Seconded Cr Lewis, that the minutes of the Ordinary Council Meeting held on 22 September 2015, be received.

CARRIED UNANIMOUSLY 6/0

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 5.1(b)

- OCM – 2/10/15** MOVED Cr Pule, Seconded Cr Bridges, that the minutes of the Ordinary Council Meeting held 22 September 2015, be confirmed as a true record.
CARRIED UNANIMOUSLY 6/0

5.2 Special Council Meeting held on 20 October 2015

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 5.2(a)

- OCM – 3/10/15** MOVED Cr Pule, Seconded Cr Lewis, that the minutes of the Special Council Meeting held on 20 October 2015, be received.
CARRIED UNANIMOUSLY 6/0

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 5.2(b)

- OCM – 4/10/15** MOVED Cr Pule, Seconded Cr Bridges, that the minutes of the Special Council Meeting held 20 October 2015, be confirmed as a true record.
CARRIED UNANIMOUSLY 6/0

**6.0 ANNOUNCEMENT BY THE PRESIDING PERSON WITHOUT
DISCUSSION**

The Mayor welcomed the new Councillors to their first Council meeting.

7.0 PETITIONS

Nil

8.0 DECLARATIONS OF INTEREST

Nil

9.0 BUSINESS DEFERRED FROM PREVIOUS MEETING

9.1 Vandalism of Various Street Verge Trees Within the Town of Bassendean (Ref: COUP/MAINT/1 – Simon Stewart-Dawkins, Director Operational Services)

APPLICATION

The purpose of this report was to advise Council that over the last few months there has been a number of street verge trees removed, interfered with or pruned without permission from the Town of Bassendean.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 9.1

OCM – 5/10/15 MOVED Cr Pule, Seconded Cr Lewis, that Council endorses the Officer Recommendation shown in the Confidential Report attached to the Ordinary Council Agenda of 27 October 2015 relating to street trees that have been pruned or removed without permission.

CARRIED UNANIMOUSLY 6/0

10.0 REPORTS

10.1 Adoption of Recommendations En Bloc

It was agreed that item 10.7 be removed from the en bloc table to be considered independently.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.1

OCM – 6/10/15 MOVED Cr Pule, Seconded Cr Bridges, that Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Meeting Agenda of 27 October 2015:

Item	Report
10.2	Significant Trees – Resident Nominates Street Trees for inclusion in the Town of Bassendean Significant Tree Register
10.3	Asset Management Strategy
10.9	Integrated Planning and Reporting Framework Strategy
10.13	Quarterly Reports for Quarter Ended 30 September 2015
10.17	Bassendean Youth Advisory Council Meetings held on 31 July, 28 August and 25 September 2015
10.18	Cultural Development Advisory Committee Meeting held on 30 September 2015
10.20	Determinations Made by the Principal Building Surveyor

10.21	Determinations Made by Development Services
10.22	Accounts for Payment – September 2015
10.23	Financial Statements – September 2015
10.24	Implementation of Council Resolutions
10.25	Use of the Common Seal
10.26	Calendar for November 2015

CARRIED UNANIMOUSLY 6/0

Council was then requested to consider the balance of the Officer recommendations independently.

Item	Report
10.4	Acceptance of Department of Local Government and Communities Grant
10.5	Public Consultation Outcome - Proposed Purchase and Sale of Two Crown Reserves - Lot 7557 Lord Street, (A3280) Bassendean & 48 Chapman Street, (A742) Bassendean
10.6	Lease Agreement - Bassendean Men's Shed Association
10.7	Waiver of Fees – Scouts Association of Australia – WA Branch
10.8	Consider the Employment of a Strategic Planner
10.10	Audit & Risk Management Committee Meeting held on 14 October 2015
10.11	Annual Report for the Year Ended 30 June 2015
10.12	Setting of Ordinary Council and Committee Meeting Dates and Citizenship Ceremonies for 2016
10.14	Appointment of Delegates & Representatives to Council Committees & External Organisations
10.15	Review of Delegation to a Committee
10.16	Review of Delegations to the Chief Executive Officer & Other Officers
10.19	Children and Family Services Committee Meeting held on 14 October 2015
13.1	Offer to Purchase 10-14 Parker Street, Bassendean
13.2	Point Reserve - Road Closure

10.2 Significant Trees – Resident Nominates Street Trees for inclusion in the Town of Bassendean Significant Tree Register (Ref: INOM-9188315 & INOM-9188215 – Ken Cardy, Manager Asset Services)

APPLICATION

The purpose of this report was to seek approval from Council to list two nominated trees, both within the Town of Bassendean; one located within the street verge in front of 9 James Street the other in Anzac Terrace East (Kelly Park), as significant trees and for inclusion within the Town's Significant Tree Register.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.2

OCM – 7/10/15 MOVED Cr Pule, Seconded Cr Bridges, that Council:

1. Accepts the Significant Tree Register nomination forms shown in the Confidential Attachment to the Ordinary Council Agenda of 27 October 2015; and
2. Grants approval to list the following trees as significant trees and to include them within the Town's Significant Tree Register:
 - a) Red Flowering Gum (*Corymbia Calphylla*) located within the street verge adjacent to 9 James Street, Bassendean; and
 - b) Flooded Gum (*Eucalyptus Rudis*) located within Kelly Park - Anzac Terrace East, Bassendean.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-6/10/15 6/0

10.3 **Asset Management Strategy (Ref: GOVN/CCLMEET/17 &
COUP/MAINT/2) – Simon Stewert-Dawkins, Director
Operational Services)**

APPLICATION

The purpose of this report was to provide Council with an update on the Town's Asset Management Strategy.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.3

OCM – 8/10/15 MOVED Cr Pule, Seconded Cr Bridges, that Council receives the Asset Management Strategy and notes that this is a working document.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-6/10/15 6/0

10.4 Acceptance of Department of Local Government and Communities' Grant (Ref: Greg Neri, Manager Youth Services)

APPLICATION

Council was requested to accept funding from the Department of Local Government and Communities in the amount of \$10,000 to action needs highlighted in the recent Youth Consultation Project.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.4

OCM – 9/10/15 MOVED Cr Pule, Seconded Cr Bridges, that Council:

1. Accepts funding from the Department of Local Government and Communities for the amount of \$10,000 and approves expenditure of the funds to action needs highlighted in the recent Youth Consultation Project; and
2. Amends the 2015/16 Budget accordingly.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.5 Public Consultation Outcome - Proposed Purchase and Sale of Two Crown Reserves - Lot 7557 Lord Street, (A3280) Bassendean & 48 Chapman Street, (A742) Bassendean - Nature Based Regional Playground (Ref: LUAP/SUBDIV/1 – Graeme Haggart, Director Community Development)

APPLICATION

To provide Council the outcome of the public consultation into, and to seek approval to proceed to acquire two Crown Reserves - Lot 7557 Lord Street (A3280) Bassendean & 48 Chapman Street (A742) and then sell those lots with the proceeds being placed in trust for the development of a nature based Regional Playground.

Cr Bridges moved the Officer Recommendation with an amendment to Point 3 as shown in bold below:

*“3. Subject to the land being acquired and sold by the Town, the proceeds of the sales be used in building a nature based regional playground at **or near to Sandy Beach Reserve.**”*

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.5

OCM – 10/10/15 MOVED Cr Bridges, Seconded Cr McLennan, that:

1. Council requests approval from the Minister for Lands for the Town of Bassendean to acquire Reserves 26529 and 31420 as eligible Reserves in accordance with section 20A of the Town Planning Development Act 1928 for 5% of their market valuation, as determined by the Valuer General’s Office;
2. Council requests support from the Department of Planning for the closure of Reserves 26529 and 31420;
3. Subject to the land being acquired and sold by the Town, the proceeds of the sales be used in building a nature based regional playground **at or near to Sandy Beach Reserve**; and
4. Council establishes a Trust Fund to receive the proceeds from the sale of the land.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.6 Lease Agreement - Bassendean Men's Shed Association (Inc) (Ref: Graeme Haggart, Director Community Development)

PURPOSE

The purpose of this report was for Council to approve a Lease Agreement with the Bassendean Men's Shed Association (Inc.) to establish a men's shed facility in the Town.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION — ITEM 10.6

OCM – 11/10/15 MOVED Cr Pule, Seconded Cr McLennan, that Council:

1. Authorises the CEO to execute the Deed of Agreement as attached to the October 2015 Ordinary Council Meeting Agenda;
2. Authorises the CEO to have registered easements for access to the Bassendean Men's Shed site over Reserve 49216 and Reserve 49217, being the TADWA and St. John Ambulance Association properties;
3. Delegates authority to the CEO to execute the Lease Agreement, subject to confirmation that the conditions of the Deed have been met;
4. Delegates authority to the CEO to negotiate lease option renewals in line with the covenants in the Lease; and
5. Lists operating subsidy amounts for the Bassendean Men's Shed Association, as defined in the Lease Agreement, in the corresponding year's Budget being:

Year of Operation	Subsidy Allocation
2017/18	\$25,000
2018/19	\$20,000
2019/20	\$15,000
2020/21	\$10,000
2021/22	\$5,000

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.7 Waiver of Fees – Scouts Association of Australia – WA Branch (Ref: COUP/USAGE/9 Tim Clark, Recreation Development Officer)

APPLICATION

Council was requested to consider a waiver of fees for the hire of Ashfield Reserve for the Scouts Association of Australia – WA Branch ‘Cubilee’ event to be held on Saturday, 7 November 2015.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION — ITEM 10.7

OCM – 12/10/15 MOVED Cr Pule, Seconded Cr McLennan, that Council provides the Scout Association of Australia – WA Branch a waiver of the \$385 hire fee for the booking of Ashfield Reserve for their ‘Cubilee’ Event to be held on Saturday, 7 November 2015.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.8 Consider the Employment of a Strategic Planner (Ref: CORM/POLCY/1- Bob Jarvis, CEO and Brian Reed, Manager Development Services)

APPLICATION

The purpose of this report was to provide a summary of the discussions that occurred at the Workshop held on 13 October 2015 in regards to the employment of a Strategic Planner.

Cr Bridges moved the Officer Recommendation with an amendment to Point 1 as shown in bold below:

*“1. Council obtains quotations from suitably qualified persons and/or organisations for the development of the “scope of works” that will be required to be prepared for Council to provide the strategic planning framework for the Town. The scope of works is to identify all plans and policies required to implement the higher densities contained in the adopted Local Planning Strategy, and the likely costs and indicative timeframes to provide the plans and policies **and to include the matters raised in the motion carried by Council at the September OCM.**”*

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.8

OCM – 13/10/15 MOVED Cr Bridges, Seconded Cr McLennan, that:

1. Council obtains quotations from suitably qualified persons and/or organisations for the development of the “scope of works” that will be required to be prepared for Council to provide the strategic planning framework for the Town. The scope of works is to identify all plans and policies required to implement the higher densities contained in the adopted Local Planning Strategy, and the likely costs and indicative timeframes to provide the plans and policies **and to include the matters raised in the motion carried by Council at the September OCM;**
2. Council allocates an amount of \$15,000 in the 2015/16 Budget for the appointment of a consultant and utilise savings from the installation of the Bassendean Oval Bore;
3. The expenditure be authorised in accordance with Section 6.8 of the Local Government Act; and
4. The 2015/16 Budget be amended accordingly.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.9 Integrated Planning and Reporting Framework Strategy (Ref: CORM/POLCY/1- Bob Jarvis, CEO and the Executive Management Team)

APPLICATION

The purpose of this report was for Council to consider conducting a workshop for the adoption of a strategy to undertake the development of a new or revised Community Strategic Plan, Corporate Business Plan and Informing Strategies.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION -
ITEM 10.9

OCM – 14/10/15 MOVED Cr Pule, Seconded Cr Bridges, that Council holds a workshop on Tuesday 17 November 2015 to consider a strategy for the development of a 2016-2026 Community Strategic Plan.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-6/10/15 6/0

10.10 Audit & Risk Management Committee Meeting held on 14 October 2015 (Ref: GOVNCCL/MEET/3, Michael Costarella, Director Corporate Services)

APPLICATION

The purpose of this report was for Council to receive the report on a meeting of the Audit & Risk Management Committee held on 14 October 2015.

Cr Bridges moved the Officer Recommendation with an amendment to Point 8 as shown in bold below:

*“8. Council determines that the Trustees of the Sisters of St. Joseph are eligible for a Rate exemption under Section 6.26(2)(d) of the Local Government Act **for the 2015/2016 financial year.**”*

COUNCIL RESOLUTION/COMMITTEE RECOMMENDATION
ITEM 10.10

OCM – 15/10/15 MOVED Cr Bridges, Seconded Cr Lewis, that:

1. Council receives the report on a meeting of the Audit and Risk Management Committee held on 14 October 2015;
2. Council receives the audited 2014/15 Annual Financial Statements and Audit Report as attached to the Audit and Risk Management Committee Agenda of the 14 October 2015;
3. Funds of \$118,300 be transferred to the Leave Entitlements Reserve in the 2015/16 financial year Budget;
4. The Surplus be adjusted by \$302,000 to reflect the reduced income in GPP Grants for 2015/16;
5. A report be prepared in relation to capital works projects that were previously excluded from the 2015/16 Budget to be considered as part of the 2015/16 budget review;
6. The 2015/16 Budget be amended accordingly to reflect the changes in Points 3 and 4 of the Committee Recommendation;
7. The information on the recovery Class action on GST be received;

8. Council determines that the Trustees of the Sisters of St. Joseph are eligible for a Rate exemption under Section 6.26(2)(d) of the Local Government Act **for the 2015/2016 financial year**; and
9. The item relating to the rates concession on 33 Hanwell Way, Bassendean, be deferred pending receipt of additional information.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.11 Annual Report for the Year Ended 30 June 2015 (Ref: FINM/AUD/7 – Bob Jarvis, Chief Executive Officer)

APPLICATION

The purpose of this report was to:

- Adopt the 2014/15 Annual Report that includes the Annual Financial Statements for the year ended 30 June 2014; and
- Set a date for the General Meeting of the Electors.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.11

OCM – 16/10/15 MOVED Cr Pule, Seconded Cr Brown, that Council:

1. Accepts the Town of Bassendean's 2014/15 Annual Report for the year ended 30 June 2015; and
2. Holds its General Meeting of Electors on Wednesday, 25 November 2015, in the Bassendean Community Hall commencing at 7.00pm.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.12 Setting of Ordinary Council and Committee Meeting Dates and Citizenship Ceremonies for 2016 (Ref: GOVN/CCLMEET/1 - CMT & Council Support Officer)

APPLICATION

Council was requested to consider its meeting dates for Council and Committees and endorse Citizenship Ceremony dates for 2016. Council is also requested to adopt the Bassendean River Parks Management Committee's Instrument of Appointment and Delegation.

COUNCIL RESOLUTION – ITEM 10.12(a)

OCM – 17/10/15 MOVED Cr Bridges, Seconded Cr Pule:

1. That Council adopts the Bassendean River Parks Management Committee's Instrument of Appointment and Delegation, with the following amendments:

BASSENDEAN RIVER PARKS MANAGEMENT COMMITTEE
INSTRUMENT OF APPOINTMENT AND DELEGATION

3.0 OBJECTIVES

1. The Management of the Bassendean river **parks, foreshore and catchments;**
 3. Delete the word '**only**', so it reads '**Consider matters**'
2. That Council adopts the revised Audit and Risk Management Committee's Instrument of Appointment and Delegation, with the following amendments:

AUDIT AND RISK MANAGEMENT COMMITTEE
INSTRUMENT OF APPOINTMENT AND DELEGATION

6.0 MEETINGS

The committee **shall** meet at least quarterly.

- 6.3 Insert - **Council shall provide secretarial and administrative support to the committee.**
 - 8.3(vi) Insert - **Critically analyse... governance or legislative issues... Review management's response to and actions taken as a result of the issues raised.**
 - 8.3(xvii) Insert - **existing lawsuits and** potential legal liabilities.
3. That Council endorses the following meeting dates for 2016, with the amendments as shown in bold below:

Municipal Heritage Inventory Review Committee meetings to be held at the Town of Bassendean, 48 Old Perth Road, Bassendean, **at least bi-monthly, commencing December 2015;**

Local Emergency Management Committee meetings to be held in the Council Chamber, 48 Old Perth Road, Bassendean at 3.30pm on Wednesdays on the following dates:

3 February, 6 April, 1 June, 3 August and **2 November**.

CARRIED UNANIMOUSLY 6/0

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.12

OCM – 18/10/15 MOVED Cr Bridges, Seconded Cr Pule, that Council:

1. Adopts the Bassendean River Parks Management Committee's Instrument of Appointment and Delegation, with the amendments as raised by Cr Bridges;
2. Adopts the revised Audit and Risk Management Committee's Instrument of Appointment and Delegation, with the amendments as raised by Cr Bridges;
3. Council extends the term of membership of the Local Studies Collection Management Committee meeting to those members, excluding Councillors, to be held on 5 November 2015;
4. Endorses the following meeting dates for 2016, with the amendments as raised by Cr Bridges and highlighted in bold below:

Ordinary Council Meetings are to be held in the Council Chamber, 48 Perth Road, Bassendean, at 7.00pm on Tuesdays on the following dates:

23 February, 22 March, 26 April, 24 May, 28 June, 26 July, 23 August, 27 September, 25 October, 22 November and 13 December;

Access & Inclusion Committee meetings to be held in the Council Chamber, 48 Old Perth Road, Bassendean, at 10.00am on Wednesdays on the following dates:

9 March, 4 May, 6 July and 7 September;

Audit and Risk Management Committee meetings to be held in the Council Chamber, 48 Old Perth Road, Bassendean at 5.30pm on Wednesdays on the following dates:

9 March, 8 June, 10 August and 12 October;

Bassendean River Parks Management Committee meetings to be held in the Council Chamber, 48 Old Perth Road, Bassendean at 10am on Wednesdays on the following dates:

17 February, 11 May, 17 August and 16 November;

Liveable Town Advisory Committee meetings to be held in the Council Chamber, 48 Old Perth Road, Bassendean at 7.00pm on Tuesdays on the following dates:

9 February, 12 April, 7 June, 9 August, 11 October and 6 December;

Local Emergency Management Committee meetings to be held in the Council Chamber, 48 Old Perth Road, Bassendean at 3.30pm on Wednesdays on the following dates:

3 February, 6 April, 1 June and 3 August and **2 November**;

Local Studies Collection Management Committee meetings to be held in the Council Chamber, 48 Old Perth Road, Bassendean at 9.30am on Thursdays on the following dates:

3 March, 5 May, 4 August and 6 October;

Municipal Heritage Inventory Review Committee meetings to be held at the Town of Bassendean, 48 Old Perth Road, Bassendean, **at least bimonthly, commencing December 2015**;

Town Planning Scheme Review Committee meetings to be held at the Town of Bassendean, 48 Old Perth Road, Bassendean, as and when required.

Youth Advisory Council meetings to be held at the Bassendean Youth Service, MacDonald Pavilion, Steel Blue Oval, West Road, Bassendean, at 5.00pm on Fridays on the following dates:

26 February, 29 April, 27 May, 24 June, 29 July, 26 August, 30 September and 25 November;

5. The following dates for Citizenship Ceremonies for 2016:

26 January; 5 April; 5 July and 4 October.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.13 Quarterly Reports for Quarter Ended 30 September 2015 (Ref: FINM/AUD/1 – Bob Jarvis, Chief Executive Officer)

APPLICATION

The purpose of this report was for Council to receive the Quarterly Reports for the period ended 30 September 2015.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.13

OCM – 19/10/15 MOVED Cr Pule, Seconded Cr Bridges, that Council receives the Quarterly Reports for the quarter ended 30 September 2015.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/10/15 6/0

10.14 Appointment of Delegates & Representatives to Council Committees & External Organisations (Ref: GOVN/CCLMEET – Yvonne Zaffino, Council Support Officer)

APPLICATION

Councillors were requested to consider nominating as delegates and representatives on internal and external committees and organisations for a two year period, expiring on the next ordinary Local Government election day, unless otherwise indicated.

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.14**

OCM – 20/10/15 MOVED Cr Pule, Seconded Cr Bridges, that Council appoints:

1. The following Councillors to be Members and Deputy Members to the following external Committees for the 2015/17 term:

Committee	Member(s)	Deputy/Deputies
WALGA - East Metropolitan Zone	Gangell Pule Lewis	CEO
WALGA - Annual General Meeting	Gangell Pule	Lewis
Eastern Metropolitan Regional Council (EMRC)	Lewis Bridges	Pule
Eastern Districts Planning Advisory Committee	Bridges	McLennan
Perth Airports Municipalities Group (PAMG)	Brown	Lewis
Swan River Trust	Brown	Bridges
Swan River Trust - Interagency Foreshore Working Group	Brown Bridges	McLennan

2. The following Councillors to be Members and Deputy Members of the following Committees of Council for the 2015/17 term:

Committee	Member(s)	Deputy
Audit & Risk Management Committee	Pule Bridges Lewis	Gangell
Bassendean Activity Centre Project Steering Group	Gangell Bridges McLennan	N/A
Bassendean River Parks Management Committee	Bridges Brown	Pule

Disability Access & Inclusion Committee	McLennan	Pule
Liveable Town Advisory Committee	Gangell McLennan Bridges	Brown
Local Emergency Management Committee	Pule Brown	Bridges
Local Studies Collection Management Committee	Pule	McLennan
Municipal Heritage Inventory Committee	Bridges Brown Pule	McLennan

3. Cr Bridges as the Member, Cr McLennan as the Deputy Member, of the Metropolitan Central Joint Development Assessment Panel.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.15 Review of Delegation to a Committee (Ref: GOVN/CCLMEET/6 – Sue Perkins, Executive Assistant)

APPLICATION

The purpose of this report was for Council to review the current delegation made to a Committee under the Local Government Act 1995.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.15

OCM – 21/10/15 MOVED Cr Pule, Seconded Cr Brown, that Council, having reviewed the delegation currently in place, delegates to the Committee of Council listed in the table below the following delegation:

Delegation No	Committee	Delegation
9.3	Local Studies Collection Management Committee	The Management Committee shall be responsible for the management, operation and policy of the Collection. The designated officer shall submit a financial report to each ordinary meeting of the Committee. Minutes of the meeting shall be considered by Council with copies provided to the Bassendean Historical Society (Inc)

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.16 Review of Delegations to the Chief Executive Officer & Other Officers (Ref: GOVN/CCLMEET/6 – Sue Perkins, Executive Assistant)

APPLICATION

The purpose of this report was for Council to review the delegations made to the Chief Executive Officer and to other officers under the Local Government Act 1995 or other Acts.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.16

OCM – 22/10/15 MOVED Cr Pule, Seconded Cr Brown, that having reviewed the delegations currently in place:

1. That Council delegates to the Chief Executive Officer:

No	Title	Legislative Power	Delegation
ADMINISTRATION			
1.1	Inconsistency with Street Amenity	Local Gov Act 1995, s5.42	The authority to issue notices under Section 3.25 of the Local Government Act 1995 when a property is deemed to be inconsistent with the amenity of the street in accordance with Schedule 3.1, Division 1 of the Act. <i>(Note: This delegation relates to a range of requirements, including containing run-off on private property, house numbering, unsightly appearance of land and storage of disused materials, etc.)</i>
1.2	Failure to comply with a notice	Local Gov Act 1995, s5.42	The authority to exercise the additional powers contained within Section 3.26 of the Local Government Act 1995 when notice is given, where the person to whom the notice is given under Section 3.25, as contained in delegation 1.1, fails to comply.

1.3	Permission to Extend Leased Buildings	Local Gov Act 1995, s5.42	<p>The authority to extend leased buildings in the following circumstances:</p> <ol style="list-style-type: none"> 1. The works comply with the Local Planning Scheme and planning approval; 2. The works do not involve any expenditure to Council unless that expenditure is budgeted; and 3. The value of the asset will not be diminished as a result of the works. <p>Unless otherwise provided for in the lease, the terms shall be increased to take account of the extension.</p>
1.4	Granting of Liquor Licences for Special Occasions	Local Gov Act 1995, s5.42	The authority to deal with applications from clubs seeking approval for liquor licences for special occasions on Council owned or vested land.
1.5	Reimbursement of Travel Expenses	Local Gov Act 1995 & Local Government Administration Regulations (32)	The authority to approve reimbursements of travel expenses in accordance with Section 5.98(2)(b) and (3) of the Local Government Act 1995 and Regulation 32 of the Local Government Administration Regulations.
1.6	Approval of future requests for donations from the WA Special Children's Christmas Party Appeal	Local Gov Act 1995, s5.42	The authority to approve future requests for donations from the WA Special Children's Christmas Party Appeal in liaison with the Mayor.
1.7	Circuses without Exotic Animals	Local Gov Act 1995, s5.42	The authority to approve the hire of a reserve or facility within the Town for the purpose of conducting a circus without exotic animals.
1.8	Unauthorised Signs located within street thoroughfares	Local Gov Act 1995, s5.42	The authority to take legal action to enforce infringement notices issued where proprietors fail to adhere to the Town's instructions to remove unauthorised advertising signs located within thoroughfares, including the impounding of such signs and/or serving of infringement notices where required.
1.9	Donations – Financial Assistance	Local Gov Act 1995, s5.42	The authority to assess and approve donations in accordance with Policy 6.13 – Donations & Financial Assistance - and to refuse applications for donations and financial assistance where they do not meet the requirements set down in this policy.

'ONE-OFF' DELEGATIONS

2.2	Occupation of Land – State Emergency Service	Local Gov Act 1995, s5.42	The authority to enter into an agreement with the Bassendean State Emergency Service to allow the organisation to occupy portion of the land at Reserve 26417 Scaddan Street.
2.37	Lease & Licence Renewal Sparx Early Learning Centre, Eden Hill	Local Gov Act 1995, s5.42	<p>The authority to:</p> <ol style="list-style-type: none"> 1. execute the second and third option renewal entitlements for the lease of the Ivanhoe Child Care Centre; and 2. execute the second and third option renewal entitlements for the licence for the use of the Alf Faulkner Hall for Out of School Care.
2.46	Extension of Contract – Old Perth Road Markets Management Agreement	Local Gov Act 1995, s5.42	The authority to award the future options extending the Rotary Club of Swan Valley's contract to run the Old Perth Road Markets on their satisfactorily fulfilling their responsibilities as set out in the Agreement.
2.52	Extension of Contract – Annual Bulk Rubbish Collection	Local Gov Act 1995, s5.42	The authority to exercise the option under the Annual Bulk Rubbish Collection Contract (RFT C0 011 2011-12) to negotiate for a one year extension of the contract beyond the nominal expiry date of 4 November 2016.
2.53	Extension of Contract – Annual Green Waste Collection	Local Gov Act 1995, s5.42	The authority to exercise the option under the Annual Green Waste Contract (RFT C0 012 2011-12) to negotiate for a one year extension of the contract beyond the nominal expiry date of 5 May 2017.

2.61	Extension of Contract – Building & General Electrical Services	Local Gov Act 1995, s5.42	The authority to exercise the option under contract RFT CO 022 2013-14, Building & General Electrical Services, to negotiate for a one year extension of the contract beyond the nominal expiry date of 30 March 2017.
2.64	Telecommunications Facility Feasibility Investigation	Local Gov Act 1995, s5.42	The CEO was delegated the authority to enter into further discussions with Visionstream regarding the feasibility of establishing a new telecommunication infrastructure site on Jubilee Reserve, Mary Crescent Reserve, or any other alternative sites, that can accommodate all carriers and includes some aesthetic treatments to minimise the visual impact.
CORPORATE SERVICES			
3.1	The Power to Make Payments	Local Gov Act 1995 s5.42	The power to make payment from the Municipal Fund, the Trust Fund, the Reserve Fund and any other fund which the Council may operate from time-to-time.
3.2	Special Arrangements for Financial Hardship	Local Gov Act 1995 s5.42, s6.49	The power to enter into special arrangements for the payment of rates and services charges with ratepayers who demonstrate cases of financial hardship.
3.3	Approval of Credit Cards	Local Gov Act 1995, s5.42	The authority to approve the issue of Council credit cards.
3.5	Contracts and Tenders Approval	Local Gov Act 1995 s5.42	The authority to enter into contracts for the supply of goods, services and programs identified within the approved budget up to the value of \$150,000, exclusive of GST, and for the inviting of tenders for the supply of contracts over the value of \$150,000 without further reference to Council, unless expressly identified and itemised by resolution of the Council.
3.6	Disposal of Property Listed in the Annual Budget	Local Gov Act 1995 s5.42	The authority to dispose of local government property listed in the Annual Budget to a value not exceeding \$100,000.
3.8	Local Government Master Lending Agreement	Local Gov Act 1995, s5.42	The authority to sign schedule documents under the Local Government Master Lending Agreement, and to give instructions thereunder on behalf of the Town of Bassendean.
3.9	Investment of Surplus Funds	Local Gov Act 1995, s5.42	The authority to invest surplus funds in accordance with Council's Investment Policy.
PLANNING SERVICES			
4.1	Advice to the Western Australian Planning Commission	Local Gov Act 1995, s5.42	The authority to give advice to the Western Australian Planning Commission on applications to amalgamate and subdivide land under S135 of the Planning & Development Act 2005, provided the advice is consistent with the requirements of Local Planning Scheme No. 10.
4.4	Delegation of Powers under Local Planning Scheme No 10	Planning and Development (Local Planning Schemes) Regulations 2015	<p>1. The power to determine applications under Clause 68.(2) of the Planning and Development (Local Planning Schemes) Regulations 2015, with the exception of the following classes of development:</p> <ul style="list-style-type: none"> a) Where, in the opinion of the Chief Executive Officer, the proposal involves a major commercial or residential development, which in the opinion of the delegate is likely to have a significant effect on the Town or on local amenity; b) Where, in the opinion of the Chief Executive Officer, the proposal represents a significant departure from the Local Planning Scheme, the Residential Design Codes or Local Planning Policies and nevertheless, the Chief Executive Officer, if he was to decide, the matter would grant approval; c) Where, in the opinion of the Chief Executive Officer, the proposal involves the modification of Restrictive Covenants where there are valid objections on planning grounds; and d) The proposal has been subjected to neighbour or

			<p>community consultation and has attracted objections which, in the opinion of the Chief Executive Officer, should not be resolved by Officers.</p> <p>2 The authority to prepare responses to the State Administrative Tribunal for appeals lodged against Council's decisions and notices, and decisions issued under delegated authority, and responses be circulated to Councillors for information.</p> <p>The CEO has on-delegated these powers to the Town Planner (Manager Development Services), subject to all applications for approval to commence development being presented to the Development Control Unit in order to provide professional advice and information to the Town Planner (Manager Development Services) under clause 68.(2) of the Planning and Development (Local Planning Schemes) Regulations 2015.</p>
4.5	Power to make comment on Department of Housing & Works' Planning Proposals	Local Gov Act 1995, s5.42	The power to make comments to the Department of Housing & Works on public housing proposals, subject to Council being advised of such applications upon lodgement.
4.6	Dealing with requests from owners of land to pay in lieu of setting aside land for open space onsite (Cash-in-lieu payments)	Local Gov Act 1995, s5.42	<p>The authority to deal with requests from landowners to pay in lieu of setting aside land for open space under section 153 of the Planning and Development Act 2005, provided that:</p> <ol style="list-style-type: none"> 1. It would be inappropriate, in his opinion for the open space to be provided on site; 2. The request is not made in an area to be considered deficient in open space; 3. The owner pays to the Town of Bassendean the value of providing the open space onsite; and 4. All money received is to be paid into a separate cash-in-lieu fund and to be reported to Council through the quarterly report.
BUILDING SERVICES			
5.1	Strata Titles	Strata Titles Act 1985	The authority to endorse 'Built Strata' and 'Vacant Lot Strata' documentation in accordance with the Strata Titles Act 1985.
5.16	Appoint authorised persons for the purposes of the Building Act 2011	Building Act 2011, s96	The authority to designate authorised persons in accordance with Section 96 of the Building Act 2011.
5.17	Issue Building Orders in relation to building work, demolition work and/or an existing building or structure	Building Act 2011, s110	The authority to issue Building Orders in accordance with Section 110 of the Building Act 2011.
5.18	Withdraw Building Orders in relation to building work, demolition work and/or an existing building or structure	Building Act 2011, s117	The authority to revoke Building Orders in accordance with Section 117 of the Building Act 2011.
5.20	Prosecution for Offences committed under the Building Act 2011	Building Act 2011, s133(1)	The authority to commence prosecution for offences committed under the Building Act 2011.
HEALTH SERVICES			
6.1	Functions under the Health Act 1911 (As amended)	Health Act 1911 (As amended)	Delegates to the Chief Executive Officer, or the person acting in that position, as its deputies, for the purposes of discharging its functions under the Health Act 1911 (As amended).
6.3	Authorised Officers under Section 11 of the Caravan Parks and Camping Grounds Regulations 1997	Local Gov Act 1995, s5.42	Delegates to the Chief Executive Officer the power to issue a written approval for a person(s) to camp on land for a period of longer than 3 nights but less than 3 months in any period of 12 months.

RANGER SERVICES			
7.1	Powers Under the Dog Act 1976	Dog Act 1976 Dog Regulations 2013	The authority to exercise any of the powers of the Council or discharge any of its duties under the Dog Act 1976, Dog Regulations 2013, and the Dogs' Local Law.
7.2	Applications to keep more than two dogs on a property	Dog Act 1976	The authority to approve or refuse applications to keep more than two dogs on a property in accordance with Section 26(3) of the Dog Act 1976.
7.3	Powers Under the Cat Act 2011	Cat Act 2011 & Cat (Uniform Local Provisions) Regulations 2013	The authority to exercise any of the powers of the Council or discharge any of its duties under the Cat Act 2011 and the Cat (Uniform Local Provisions) Regulations 2013
LOCAL LAWS			
8.1	Powers under the Local Laws	Local Gov Act 1995, s5.42	<p>The authority to exercise any of the powers of the Council or discharge any of its duties in connection with the following local laws made under the Local Government Act 1995, the Health Act 1911 (As amended) the Dog Act 1976 and the Cat Act 2011:</p> <ul style="list-style-type: none"> * Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2010; * Bee Keeping Local Law 2001; * Dogs Local Law 2001; * Fencing Local Law 2013; * Health Local Law 2001; * Parking and Parking Facilities Local Law 2010; * Property Local Law 2001; and * Responsible Cat Ownership Local Law 2005. <p>The CEO has on-delegated the authority to exercise any of the powers of the Council or discharge any of its duties in connection with the above local laws made under the Local Government Act 1995, the Health Act 1911 (As amended), the Dog Act 1976 and the Cat Act 2011 to certain officers.</p>
MAYORAL DELEGATIONS			
13.1	Speaking on Behalf of the Council	Local Gov Act 1995, s5.41(f)	The authority to speak on and represent the view of the Council of the Town of Bassendean to the media and other third parties when the Mayor is not available.

2. That Council delegates to the Mayor and Chief Executive Officer:

1.10	Use of the Common Seal	Local Gov Act 1995, s5.42	The responsibility of affixing the Common Seal to documents requiring signing and sealing, and reports the exercise of that delegation to the next available Ordinary Meeting of the Council.
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3. That Council delegates to the Principal Building Surveyor:

No	Title	Legislative Power	Delegation
5.5	Compliances of Privately Owned Swimming Pools	Local Government (Miscellaneous Provisions) Act 1960 (s245A)	The authority to act as an officer appointed pursuant to section 245A of the Local Government (Miscellaneous Provisions) Act 1960 with respect to the compliance of privately owned swimming pools.
5.11	Approve or Refuse Building Permits	Building Act 2011, s20	The authority to approve or refuse applications for Building Approval Certificates in accordance with Section 20 of the Building Act 2011.

5.12	Approve or Refuse Demolition Permits	Building Act 2011, s21	The authority to approve or refuse applications for Demolition Permits in accordance with Section 21 of the Building Act 2011.
5.13	Refuse Building or Demolition Permits where there appears to be an error in the documents or information provided in the applications	Building Act 2011, s22	The authority to refuse applications for Building Permits or Demolition Permits in accordance with Section 22 of the Building Act 2011.
5.14	Approve, modify or refuse Occupancy Permits or Building Approval Certificates	Building Act 2011, s58	The authority to approve, modify or refuse Occupancy Permits or Building Approval Certificates in accordance with Section 58 of the Building Act 2011.
5.15	Approve or refuse an application to extend the validity of an occupancy permit or building approval certificate	Building Act 2011, s65	The authority to approve or refuse an application to extend the validity of an occupancy permit or building approval certificate in accordance with Section 65 of the Building Act 2011.
5.17	Issue Building Orders in relation to building work, demolition work and/or an existing building or structure	Building Act 2011, s110	The authority to issue Building Orders in accordance with Section 110 of the Building Act 2011.
5.18	Withdraw Building Orders in relation to building work, demolition work and/or an existing building or structure	Building Act 2011, s117	The authority to revoke Building Orders in accordance with Section 117 of the Building Act 2011.
5.19	Approval/Refusal to store materials on a verge	Building Regulations 2012, Reg 64	The authority to approve or refuse applications to store materials on a verge in accordance with Regulation 64 of the Building Regulations 2012.

4. That, pursuant to the provisions of Section 26 of the Health Act 1911 (as amended), Council:

No	Title	Legislative Power	Delegation
6.1	Functions under the Health Act 1911 (As amended)	Health Act 1911 (As amended)	Delegates to the Senior Environmental Health Officer, or the person acting in that position, as its deputies, for the purposes of discharging its functions under the Health Act 1911 (as amended).

5. That, pursuant to the provisions of Section 122 of Division 3 of the Food Act 2008, Council:

No	Title	Legislative Power	Delegation
6.2	Authorised Officers under the Food Act 2008	Food Act 2008, Division 3, Section 122	1. Appoints the Senior Environmental Health Officer employed with the Town as an 'Authorised Officer' for the purposes of the Food Act 2008 under provisions of Sections 38 and 122(b);

			<ol style="list-style-type: none"> 2. Appoints the Town's food safety risk assessment contractor as an 'Authorised Officer' under provisions of Section 122(a) of the Food Act 2008, subject to the limitation that such officer cannot undertake any enforcement activity under the Food Act 2008 on behalf of the Town, except for the issuing of an 'improvement notice'; 3. Designates the Town's 'Authorised Officers' to be 'designated officers' for the purposes of issuing 'infringement notices' under provisions of Section 126(2) and (3) of the Food Act 2008; 4. Delegates the authority to the Senior Environmental Health Officer/Authorised Officer to issue 'prohibition notices' and instigate prosecutions under the Food Act 2008; 5. Designates the Chief Executive Officer responsible for authorised officers, to be a 'designated officer' to extend and revoke 'infringement notices' under provisions of Section 126(6) and (7) of the Food Act 2008; and 6. Designates the Chief Executive Officer as the 'designated officer' to receive payment from 'infringement notices' under provisions of Section 126(3) and (13).
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6. That Council notes the following exercises of delegated authority:

No	Title	Legislative Power	Delegation
10.138	Notice under s179 of the Health Act 1911 (as amended) – 25 Old Perth Road, Bassendean	Health Act 1911 (As amended)	The Senior Environmental Health Officer exercised his delegated authority on 6 November 2014 when he issued a Closure Notice under Section 179 of the Health Act 1911 (as amended). The closure notice was served upon the proprietors of the Bassendean Hotel, Mr Stefano Rossi and Mr Vincent Lee. The Bassendean Hotel is situated at 25 Old Perth Road, Bassendean. The closure notice is limited to the first floor exterior balcony and the ground floor deck beneath the balcony that faces Parker Street following concerns about the structural integrity of the balcony.
10.139	Improvement Notice – 25 Old Perth Road, Bassendean	Food Act 2008	The Senior Environmental Health Officer exercised his delegated authority given under Delegation Number 6.2 - Authorised Officers Under the Food Act 2008 - on 11 November 2014 when an Improvement Notice was issued on the proprietors of the Bassendean Hotel, situated at 25 Old Perth Road, Bassendean. The Improvement Notice requires outstanding works in the kitchen of the restaurant within the hotel to be completed within 60 days.
10.140	Extension of Contract – Provision of Plumbing & Gas Services	Local Gov Act 1995, s5.42	The Chief Executive Officer exercised his delegated authority given under Delegation Number 2.49 - Provision of Plumbing & Gas Services - on 13 November 2014 when he approved a one year extension of contract RFT C0 005 2011-12 beyond the nominal expiry date of 9 March 2015.
10.141	Infringement Notice – Food Premises at Bassendean Shopping Centre, 2 West Road, Bassendean	Food Act 2008	<p>The Senior Environmental Health Officer exercised his delegated authority given under Delegation Number 6.2 - Authorised Officers under the Food Act 2008 - when on 27 November 2014 an infringement notice was served against the proprietor of Bassendean's Snapper, situated at Bassendean Shopping Village, 2 West Road, Bassendean.</p> <p>An infringement notice of \$250 was served following an investigation of a complaint received by Council. The complaint alleged that a blood stained fingerprint was found on the wrapping of a take-away meal.</p> <p>The offence:</p>

			1. Contravention of Standard 3.2.2, Clause 15 (1) (a) of the Food Standards Code – a food handler must when engaging in any food handling operation take all practicable measures to ensure his or her body, anything from his or her body, does not contaminate food or surface likely to come into contact with food.
10.142	Approval to keep three dogs at 8c Mary Crescent, Eden Hill	Dog Act 1976	The Chief Executive Officer exercised his delegated authority on 19 December 2014 when he approved an application to keep three dogs at 8c Mary Crescent, Eden Hill, in accordance with Section 26 (3) of the Dog Act 1976.
10.143	Approval to keep three dogs at 19 North Road, Bassendean	Dog Act 1976	The Chief Executive Officer exercised his delegated authority on 11 February 2015 when he approved an application to keep three dogs at 19 North Road, Bassendean, in accordance with Section 26 (3) of the Dog Act 1976.
10.144	Improvement Notice – 4/15 Dyer Road, Bassendean	Food Act 2008	The Senior Environmental Health Officer exercised his delegated authority given under Delegation Number 6.2 - Authorised Officers Under the Food Act 2008 - on 29 April 2015 when an Improvement Notice was issued on the proprietors of Hong Tai (Food Premises) situated at 4/15 Dyer Road, Bassendean. The Improvement Notice requires cleaning items to be completed by 29 May 2015.
10.145	Extension of Contract – Refuse Collection & Litter Bin Cleaning Services	Local Gov Act 1995, s5.42	The Chief Executive Officer exercised his delegated authority given under Delegation Number 2.34, Refuse Collection & Litter Bin Cleaning (RFT CC087-088 2009-10), on 28 April 2015 when he approved a one year extension of the contract beyond the nominal expiry date of 30 June 2015.
10.146	Improvement Notice – Pasta Cup Bassendean Village Shopping Centre	Food Act 2008	The Senior Environmental Health Officer exercised his delegated authority given under Delegation Number 6.2, Authorised Officers Under the Food Act 2008, on 19 May 2015 when an Improvement Notice was issued on the proprietors of Pasta Cup Bassendean, situated at the Bassendean Village Shopping Centre. The Improvement Notice requires outstanding fit-out issues at the premises to be completed by 9 June 2015.
10.147	Improvement Notice – 71 Old Perth Road, Bassendean	Food Act 2008	The Authorised Officer exercised her delegated authority given under Delegation Number 6.2 (2), Authorised Officers Under the Food Act 2008, on 20 May 2015 when an Improvement Notice was issued on the proprietors of the Bassendean Mini Mart, 71 Old Perth Road, Bassendean. The Improvement Notice requires cleaning issues at the premises to be completed by 2 June 2015.
10.148	Extension of Contract – Provision of Street Sweeping Services	Local Gov Act 1995, s5.42	The Chief Executive Officer exercised his delegated authority given under Delegation Number 2.54 - Provision of Street Sweeping Services - on 2 July 2015 when he approved a one year extension of contract RFT CO 013 2011-12 beyond the nominal expiry date of 30 August 2015.
10.149	Permission to extend leased building – 1 May Holman Drive, Bassendean	Local Gov Act 1995, s5.42	The CEO exercised his delegated authority given under Delegation Number 1.3, Permission to Extend Leased Buildings, on 26 August 2015, when he approved the erection of photovoltaic cells on the roof structure at Swan Location 14073; 1 May Holman Drive, Bassendean, for the Maltese Association of WA.
10.150	Extension of Contract – Provision of Powerline Tree Pruning Services	Local Gov Act 1995, s5.42	The CEO exercised his delegated authority given under Delegation Number 2.50 on 22 September 2015 when he signed a letter extending contract RFT C0 007 2011-12 for a further one year beyond the nominal expiry date of 30 May 2015.
10.151	Extension of Contract – Recycling Collection Services	Local Gov Act 1995, s5.42	The CEO exercised his delegated authority given under Delegation Number 2.33 on 28 April 2015 when he signed a letter extending contract RFT CC087-088 2009-10, Recycling Collection Services, for a further one year beyond the nominal expiry date of 30 June 2015.

10.152	Termination of Management Licence Agreement – Cyril Jackson Recreation Centre	Local Gov Act 1995, s5.42	The CEO exercised his delegated authority given under Delegation Number 2.63 on 29 September 2014 when he signed a letter addressed to the Department of Education advising that Council has resolved to terminate the Licence Agreement for the Management of the Cyril Jackson Recreation Centre as of 30 September 2014.
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7. That Council notes that the following delegations are no longer required:

No	Title	Delegation No	Delegation
11.64	Provision of Plumbing & Gas Services	2.49	This delegation is no longer required as the CEO exercised his delegated authority given under Delegation Number 2.49 – Provision of Plumbing & Gas Services – on 13 November 2014 when he approved a one-year extension of contract RFT CO 005 2011-12 beyond the nominal expiry date of 9 March 2015.
11.65	Refuse Collection & Litter Bin Cleaning Services	2.34	This delegation is no longer required as the CEO exercised his delegated authority given under Delegation Number 2.34, Refuse Collection & Litter Bin Cleaning Services, on 28 April 2015 to approve a one year extension of contract RFT CC087/2009-10 beyond the nominal expiry date of 30 June 2015.
11.66	Provision of Street Sweeping Services	2.54	This delegation is no longer required as the CEO exercised his delegated authority given under Delegation Number 2.54, Provision of Street Sweeping Services, on 2 July 2015 when he approved a one year extension of contract RFT CO 013 2011-12 beyond the nominal expiry date of 30 August 2015.
11.67	Provision of Plumbing & Gas Services	2.49	This delegation is no longer required as the CEO exercised his delegated authority given under Delegation Number 2.49 - Provision of Plumbing & Gas Services - on 13 November 2014 when he approved a one year extension of contract RFT CO 005 2011-12 beyond the nominal expiry date of 9 March 2015.
11.68	Provision of Power-line Tree Pruning Services	2.50	This delegation is no longer required as the CEO exercised his delegated authority given under Delegation Number 2.50, Provision of Powerline Tree Pruning Services, Contract RFT CO 007 2011-12, on 22 September 2015 when he approved a one year extension of the contract beyond the nominal expiry date of 30 May 2015.
11.69	Provision of Street Sweeping Services	2.54	This delegation is no longer required as the CEO exercised his delegated authority given under Delegation Number 2.54, Provision of Street Sweeping Services, on 2 July 2015 when he approved a one year extension of contract RFT CO 013 2011-12 beyond the nominal expiry date of 30 August 2015.
11.70	Extension of Contract - Security Monitoring & Maintenance of Security Equipment	2.51	This delegation is no longer required as the contract was not extended. A new contract was entered into with Casa Security.
11.71	Extension of Contract - Air-conditioning Maintenance Services	2.44	This delegation is no longer required as the contract was not extended. A new contract was entered into with KD Aire.
11.72	Extension of Contract – Recycling Collection Services	2.33	This delegation is no longer required as the CEO exercised his delegated authority given under Delegation Number 2.33 on 28 April 2015 when he signed a letter extending contract RFT CC087-088 2009-10, Recycling Collection Services, for a further one year beyond the nominal expiry date of 30 June 2015.

11.73	Partnership Agreement – North East RYDE Project	2.62	This delegation is no longer required as the RYDE Partnership Agreement will not be executed over the coming years as the Project Partner, 'Sorci', has filed for liquidation. The RYDE Program will continued in partnership with the Bassendean Memorial Library and Bassendean Volunteer Centre.
11.74	Termination of Management Licence Agreement – Cyril Jackson Recreation Centre	2.63	This delegation is no longer required as the CEO exercised his delegated authority on 29 September 2014 when he advised the Department of Education that Council has resolved to terminate the Licence Agreement for the Management of the Cyril Jackson Recreation Centre as of 30 September 2014.
11.75	Proposed Additions & Alterations to a Single House at 31 Clarke Way, Bassendean	2.65	This delegation is no longer required as the front courtyard wall was modified to the satisfaction of the Town within the 60 day timeframe specified in the Conditional Approval for the development.
11.76	Extension of Contract – Appointment of Curator/Project Manager, 1 Surrey Street, Bassendean	2.58	This delegation is no longer required as the services of the Curator/Project Manager for 1 Surrey Street, Bassendean, are not required at this stage of the project.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.17 Bassendean Youth Advisory Council Meetings held on 31 July, 28 August and 25 September 2015 (Ref: GOVN/MEETCCL20 – Ayden Mackenzie – Youth Development Officer)

APPLICATION

The purpose of the report was for Council to receive the minutes of the Youth Advisory Council meetings held on 31 July 2015, 28 August 2015 and 25 September 2015.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION — ITEM 10.17

OCM – 23/10/15 MOVED Cr Pule, Seconded Cr Bridges, that Council receives the report on meetings of the Youth Advisory Council meetings held on 31 July, 28 August and 25 September 2015.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/10/15 6/0

10.18 Cultural Development Advisory Committee Meeting held on 30 September 2015 (Ref: GOVN/CCL/MEET/8 - Salvatore Siciliano, Manager Recreation and Culture)

APPLICATION

The purpose of this report was for Council to receive the report on a meeting of the Cultural Development Advisory Committee held on Wednesday 30 September 2015.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.18

OCM – 24/10/15 MOVED Cr Pule, Seconded Cr Bridges, that Council receives the report of the meeting of the Cultural Development Advisory Committee held on Wednesday 30 September 2015.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-6/10/15 6/0

**10.19 Children and Family Services Committee Meeting held on
14 October 2015 (Ref: GOVN/CCLMEET/24 – Graeme
Haggart, Director Community Development)**

APPLICATION

This report was to inform Council on the meeting of the Children and Family Services Committee held on 14 October 2015.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.19

OCM – 25/10/15 MOVED Cr Bridges, Seconded Cr McLennan, that:

1. Council considers an allocation an amount up to \$51,000 in the 2015/16 Budget to produce the design of a Nature Based Regional Playground facility utilising carried forward unallocated surplus funds from the closing surplus in the 2014/15 financial year;
2. The expenditure be authorised in accordance with Section 6.8 of the Local Government Act;
3. The 2015/16 adopted Budget be amended accordingly; and
4. Council receives an Officer Report by December 2015 on the design and cost of building a district level playground, path network and associated amenity infrastructure (seating, drink fountain, bins, path lights, and so on) in Mary Crescent Reserve in order the project cost can be a request to the Minster for Planning to allow access to part of the Cash in Lieu funds;
5. The report on a meeting of the Family and Children Services Committee held on 14 October 2015, be received.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

**10.20 Determinations Made by the Principal Building Surveyor
Ref: LUAP/PROCED/1 – Kallan Short, Principal Building
Surveyor)**

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.20

OCM – 26/10/15 MOVED Cr Pule, Seconded Cr Bridges, that Council notes the decisions made under delegated authority by the Principal Building Surveyor.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-6/10/15 6/0

**10.21 Determinations Made by Development Services (Ref:
LUAP/PROCED/1 – Christian Buttle, Development
Services)**

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.21

OCM – 27/10/15 MOVED Cr Pule, Seconded Cr Bridges, that Council notes the decisions made under delegated authority by the Manager Development Services.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-6/10/15 6/0

**10.22 Accounts for Payment – September 2015 (Ref:
FINM/CREDTS/4 – Jill Brazil, A/Manager Corporate
Services)**

APPLICATION

The purpose of this report was for Council to receive the Accounts for payment in accordance with Regulation 13 (3) of the Local Government (Financial Management) Regulations 1996.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION -
ITEM 10.22

OCM – 28/10/15 MOVED Cr Pule, Seconded Cr Bridges, that Council receives the List of Accounts paid for September 2015, as attached to the Ordinary Council Agenda of 27 October 2015.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-6/10/15 6/0

10.23 Financial Statements – September 2015 (Ref: FINM/AUD/1 - Ken Lapham, Manager Corporate Services)

APPLICATION

The purpose of this report was to present to Council various Financial reports in accordance with Local Government Financial Management Regulations.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.23

OCM – 29/10/15 MOVED Cr Pule, Seconded Cr Bridges, that the Financial Reports for the period ended 30 September 2015, as attached to the Ordinary Council Agenda of 27 October 2015, be accepted.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/10/15 6/0

10.24 Implementation of Council Resolutions (Ref: Sue Perkins, Executive Assistant)

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.24

OCM – 30/10/15 MOVED Cr Pule, Seconded Cr Bridges, that the outstanding Council resolutions detailed in the table listed in the Ordinary Council Meeting Agenda of 27 October 2015 be deleted from the Implementation of Council Resolutions list.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/10/15 6/0

10.25 Use of the Common Seal (Ref: INFM/INTPROP/1 – Sue Perkins, Executive Assistant)

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.25

OCM – 31/10/15 MOVED Cr Pule, Seconded Cr Bridges, that Council notes that the Common Seal was not attached to any documents during the reporting period.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/10/15 6/0

10.26 Calendar for November 2015 (Ref: Sue Perkins, Executive Assistant)

COUNCIL RESOLUTION/OFFICER RECOMMENDATION - ITEM 10.26

OCM – 32/10/15 MOVED Cr Pule, Seconded Cr Bridges, that the Calendar for November 2015 be adopted.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/10/15 6/0

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

12.0 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

12.1 Cr Pule: Protecting Ficus Trees on Guildford Road

Cr Pule advised that he wished to move the following motion at the next meeting:

“That Council notes the works being progressed on Guildford Road in the vicinity of the Tonkin underpass and traffic lights and writes to Main Roads to enquire whether the works will continue into the Bassendean section of Guildford Road.

The Town has previously contacted Main Roads to notify them that the ficus trees on the Bassendean section of Guildford Road are of very high significance to the people of Bassendean and ask that these trees remain and are protected in any future works of Main Roads.

In light of the destruction of the trees in the current works on the Bayswater side, the Town of Bassendean now must write again to obtain guarantees that the ficus trees remain protected and that assurances are given by Main Roads that they are not to be removed.”

13.0 CONFIDENTIAL BUSINESS

COUNCIL RESOLUTION – ITEM 13.0(a)

- OCM – 33/10/15** MOVED Cr Bridges, Seconded Cr Lewis, that the meeting go behind closed doors, in accordance with Section 5.23 of the Local Government Act 1995, the time being 8.05pm.
CARRIED UNANIMOUSLY 6/0

All members of the public vacated the Chamber, the time being 8.05pm.

13.1 Offer to Purchase 10-14 Parker Street, Bassendean (Bassendean Fire Station - Ref: A4103-GOVN/COUNCILS/9 - Mike Costarella, Director Corporate Services)

This matter was considered with members of the public excluded from the Chamber under Clause 5.23 (2) (c) and (d) of the Local Government Act 1995, as the Officer report discusses details of a proposed contract to be entered into.

COUNCIL RESOLUTION – ITEM 13.1(a)

- OCM – 34/10/15** MOVED Cr Bridges, Seconded Cr Brown, that Council suspends Standing Orders, the time being 8.29pm.
CARRIED UNANIMOUSLY 6/0

COUNCIL RESOLUTION – ITEM 13.1(b)

- OCM – 35/10/15** MOVED Cr Gangell, Seconded Cr Pule, that Council resumes Standing Orders, the time being 8.31pm.
CARRIED UNANIMOUSLY 6/0

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 13.1

- OCM – 36/10/15** MOVED Cr Pule, Seconded Cr Lewis, that:

1. In the event that Landcorp is unable to provide information to realise the potential of the site, that Council obtains quotes from suitably qualified persons/organisations to undertake a feasibility study and economic analysis for the development of the Old Fire Station property located at 12-14 Parker Street Bassendean, to form the basis of a business plan;

2. Council endorses an amount of \$15,000 to be used to fund the appointment of a consultant and it be provided from the 2015/16 adopted budget surplus;
3. The 2015/16 Budget be amended accordingly; and
4. The expenditure be authorised in accordance with Section 6.8 of the Local Government Act 1995.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

13.2 Point Reserve Road Closure (Ref: A3820 - Simon Stewart-Dawkins, Director Operational Services)

APPLICATION

This matter was considered with members of the public excluded from the Chamber under Clause 5.23 (2) (c) and (d) of the Local Government Act 1995, as the Officer report discusses legal advice.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION —
ITEM 13.2(a)

OCM – 37/10/15 MOVED Cr Lewis, Seconded Cr Pule, that Council:

1. Notes the OCM 20/5/96 Council Resolution, and the June 2014 McLeods' Barristers & Solicitors legal advice;
2. Notes Road Reserve Lot 239 and Road Reserve Lot 240, North Road closed on 5 September 1997, and these lots were gazetted to be part of Point Reserve on 3 March 1998;
3. Notes the Town of Bassendean correspondence to Mr Towie and Ms Medrala of No. 33 North Road, Bassendean, dated 15 January 2015, and 14 February 2014, advising that the temporary access provided to the previous property owner ceased in the event of the sale of the property and that access via the Point Reserve would discontinue;
4. Notes the letter to D'Angelo Legal's client Mr Towie and Ms Medrala of Lot 106, No. 33 North Road, Bassendean dated 10 June 2015 concerning Council (OCM – 28/05/15) resolution and the D'Angelo Legal letter of response dated 11 August 2015;

5. Writes to D'Angelo Legal and Mr Towie and Ms Medrala of Lot 106, No. 33 North Road, Bassendean to advise that "Without Prejudice" the Town of Bassendean will write a preliminary letter to the Minister for Lands to seek an indication if the Point Reserve Management Order could be amended granting temporary and or permanent easement over the existing vehicular paved access, so as to determine if the applicant wishes to reconsider pursuing a formal application in accordance with Council resolution OCM – 28/05/15.

CARRIED UNANIMOUSLY 6/0

COUNCIL RESOLUTION – ITEM 13.0(b)

OCM – 38/10/15 MOVED Cr Gangell, Seconded Cr Bridges, that the meeting proceed with open doors, the time being 8.40pm.

CARRIED UNANIMOUSLY 6/0

As no members of the public returned to the Chamber, the reading aloud of the motions passed behind closed doors was dispensed with.

14.0 **CLOSURE**

The next Ordinary Council Meeting will be held on Tuesday 24 November 2015.

There being no further business, the Mayor declared the meeting closed, the time being 8.40pm.